

ASSEMBLY BILL

No. 161

Introduced by Assembly Member Maddox

January 31, 2001

An act to amend Sections 122045 and 122065 of, and to add Section 122065.5 to, the Health and Safety Code, relating to pets.

LEGISLATIVE COUNSEL'S DIGEST

AB 161, as introduced, Maddox. Dog breeders.

Existing law establishes regulations with respect to dog breeders.

This bill would revise the definition of a dog breeder, for those purposes.

Existing law establishes various requirements a dog breeder is required to do with respect to housing and maintaining dogs.

This bill would revise those requirements.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 122045 of the Health and Safety Code
2 is amended to read:
3 122045. (a) This article shall be known and may be cited as
4 the Polanco-Lockyer Pet Breeder Warranty Act.
5 (b) Every breeder of dogs shall comply with this article. As
6 used in this article, "dog breeder," or "breeder" means a person,
7 firm, partnership, corporation, or other association that has sold,
8 transferred, or given away ~~50 or more dogs~~ *two or more litters*
9 during the ~~preceding~~ *preceding* calendar year that were bred and

1 reared on the premises of the person, firm, partnership,
2 corporation, or other association.

3 (c) For the purposes of this article, “purchaser” means any
4 person who purchases a dog from a breeder.

5 (d) This article shall not apply to pet dealers regulated under
6 Article 2 (commencing with Section 122125), or to publicly
7 operated pounds, humane societies, or privately operated rescue
8 organizations.

9 SEC. 2. Section 122065 of the Health and Safety Code is
10 amended to read:

11 122065. It shall be unlawful for a breeder to fail to do any of
12 the following:

13 (a) Maintain facilities where the dogs are kept in a sanitary
14 condition.

15 (b) Provide dogs with adequate nutrition and potable water.

16 (c) Provide adequate space appropriate to the age, size, weight,
17 and breed of dog. For purposes of this subdivision, “adequate
18 space” means sufficient space for the dog to stand up, sit down,
19 and turn about freely using normal body movements, without the
20 head touching the top of the cage, and to lie in a natural position.

21 (d) Provide dogs ~~housed on wire flooring~~ with a rest board,
22 floormat, or similar device that can be maintained in a sanitary
23 condition.

24 (e) Provide dogs with adequate socialization and exercise. For
25 the purpose of this article, “socialization” means physical contact
26 with other dogs ~~or~~ and with human beings.

27 (f) Wash hands before and after handling each infectious or
28 contagious dog.

29 (g) Provide veterinary care without delay when necessary.

30 SEC. 3. Section 122065.5 is added to the Health and Safety
31 Code, to read:

32 122065.5. No dog may be housed on wire flooring.

